SINGLE BENCH

IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH AT BILASPUR

W.P. NO. 5119 /2005

PETITIONERS

(1) Sant Ram, son of Shri Dhana Ram, aged about 45 years.

(2) Dilharan Sahu, son of Shri Dhana Ram, aged about 35 years.

(3) Akila Khan, daughter of Shri Ustaffa aged about 38 years.

(4) Archna Sahu, son of Shri Chhedi Lal aged about 42 years.

(5) Gautam Kaiwarth, son of Shri Baiga-Ram, aged about 40years.

(6) Bharat Sahu son of Gendlal Sahu, aged 39 years.

(7) Vijai Kumar, son of Ganga Ram Patel aged 41 years.

(8) Daya Ram Paswan son of Shri Sushil Paswan, aged about 42years.

(9) Rajkumar Yadav, son of Shri Ram Prasad Yadav, aged 36 years.

(All Petitioners are C/O Shri Kailash Soni, son of Shri Gend lal Soni R/O

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Sakari, Tahsil Sakari, District Bilaspur (Chhattisgarh)

VERSUS

RESPONDENTS

(1) The Municipal Corporation Bilaspur through Administrator Bilaspur (C.G.)

(2) The Commissioner Municipal Corporation, Bilaspur (Chhattisgarh)

(3) State of Chhattisgarh through Secretary, Department of Local Self Govt. D.K.S. Bhawan Raipur (Chhattisgarh)

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT/WRITS IN THE NATURE OF MANDAMUS CERTIORARI AND FOR DIRECTION/ DIRECTIONS, ORDER, ORDERS.

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HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Single Bench: Hon'ble Shri Satish K. Agnihotri, J.

W. P. No. 5119 OF 2005

Petitioners : Sant Ram and others

Versus

Respondents : The Municipal Corporation, Bilaspur & others

Shri J.S. Baraik, counsel for the petitioners.

Shri P. Diwakar, Senior counsel with Shri A.S. Kachhawaha, counsel for the respondents No. 1 and 2.

None for the respondent No. 3.

ORAL ORDER

(29th March, 2006)

1. The petitioners have filed this petition praying that the respondents be directed to appoint the petitioners as daily wages employees in compliance of the order dated 21.8.1997 passed by the Supreme Court in Civil Appeal No. 104/1996. The petitioners have further prayed that the respondents be directed to take them in employment immediately.

2. Shri P. Diwakar, Senior counsel with Shri A.S. Kachhawaha, counsel appearing for the respondents No. 1 and 2 clearly stated in their affidavit dated 24.3.2006 that the petitioners have been appointed vide letter dated 20.9.2005.

3. Learned counsel for the petitioners admits the position that the petitioners have been appointed on daily wages basis and as such nothing survives in this petition.

4. However, learned counsel appearing for the petitioners makes an oral submission that the petitioners be granted parity at the pay scale of regular employees of the Government. The petitioners have not submitted any pleadings and have not made any prayer to this effect in the petition. Hence, this prayer cannot be granted in this petition. However, the petitioners are at liberty to agitate the same, if so advised in separate proceedings.

5. In view of the foregoing, the writ petition stands disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu